

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

ROYAL DENNIS ROSS,)	
)	
Plaintiff,)	
)	
v.)	No. 06-3411-CV-S-FJG
)	
GREEN COUNTY COMMISSIONERS,)	
JANE and JOHN DOES, et al.,)	
)	
Defendants.)	

ORDER

Currently pending before the Court is plaintiff's Motion for Leave to Proceed In Forma Pauperis (Doc. # 1), Motion to Appoint Counsel (Doc. # 2) and Motion for Order to Add Exhibits (Doc. # 8).

In an Order dated December 4, 2006, the Court stated that in reviewing plaintiff's Complaint it was unclear exactly what he was alleging. When asked to briefly describe the facts of his claim, plaintiff states: "not granting equal protection of laws, life, liberty or property. Denying plaintiff right to life, liberty of property, 14th amendment." When asked to state what relief he is asking for, plaintiff states: "monetary damages - asking for federal judgment to get all law enforcement officers from entrapping, harassing and punishing plaintiff and his family." However, plaintiff failed to provide any details regarding his claim, such as exactly what happened, when, where and who is allegedly responsible.

In order to adequately determine if plaintiff had plead a federal claim against the defendants the Court ordered plaintiff to provide an Amended Complaint which set forth

in greater detail the particulars of the alleged incidents, which defendants were involved and when the events were alleged to have occurred.

On December 6 and 12, 2006, plaintiff provided additional information. Although plaintiff has provided the Court with more information, it is still unclear exactly what claims plaintiff is alleging against the defendants in this instance. The Amended Complaints which plaintiff has filed instead include a long litany of various wrongs which the plaintiff believes he has suffered. However, the Court is unable to discern a cause of action or what claims plaintiff is asserting against the defendants.

In reviewing plaintiff's in forma pauperis application, the Court is also obligated to review the plaintiff's Complaint.

Pursuant to 28 U.S.C. § 1915 (e) (2) (B), the Court may dismiss a complaint filed in forma pauperis at any time if the action is frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief. An action is frivolous if "it lacks an arguable basis either in law or in fact." Neitzke v. Williams, 490 U.S. 319, 325 (1989). An action fails to state a claim upon which relief may be granted if it appears beyond reasonable doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief. Conley v. Gibson, 355 U.S. 41, 45-46 (1957); Jackson Sawmill Co. Inc. v. U.S., 580 F.2d 302, 306 (8th Cir. 1978), cert. denied, 439 U.S. 1070 (1979).

In reviewing a pro se complaint under § 1915 (e) (2) (B), the court must give the complaint the benefit of a liberal construction. Haines v. Kerner, 404 U.S. 519, 520 (1972). The Court must also weigh all factual allegations in favor of the plaintiff, unless the facts alleged are clearly baseless. Denton v. Hernandez, 504 U.S. 25, 32 (1992); Scheuer v. Rhodes, 416 U.S. 232, 236 (1974).

Taylor v. United States, No. 4:97CV2305, 1997 WL 1008226, *1 (E.D.Mo. Dec. 18, 1997).

In reviewing plaintiff's initial and Amended Complaints, the Court finds that it is beyond a reasonable doubt that plaintiff can prove no set of facts in support of his claim

which would entitle him to relief. Accordingly, the Court finds that plaintiff has failed to state a claim upon which relief can be granted. Therefore, the Court hereby **DENIES** plaintiff's Motion for Leave to Proceed in Forma Pauperis (Doc. # 1), his Motion for Appointment of Counsel (Doc. # 2) and his Motion for Leave to Add Exhibits (Doc. # 8). Plaintiff's Complaint is hereby **DISMISSED**.

Date: 2/28/07
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
Chief United States District Judge